

PATENT**USPTO Serial No. 09/788,252****IBM Docket No. JP9-1999-0748****REMARKS**

Claims 2, 3 and 5-13 are pending in this case. Claims 2-3 and 7-13 stand rejected under 35 U.S.C. §103(a) as being unpatentable considering the teaching of US Pat. No. 5,434,508 to Ishida in view of the teaching of US Pat/ No/ 5,606,242 to Hull et al. Claims 5 and 6 stand rejected under 35 U.S.C. §103(a) as being unpatentable considering the teaching of Ishida.

Claims 2, 3, 7 and 10-11 are presented for reconsideration in view of the discussion below. Claims 5, 6, 8-9 and 12-13 are canceled.

Typically with dual powered electronic devices (AC and battery), connection of an AC adapter causes a shift from battery power to the adapter power so long as the adapter is connected. No switch to force battery power is usually provided. If battery power is wanted the AC adapter is disconnected. Indeed, it does not appear that the art shows or suggests a signal controlled switch triggered intermittently by a controller that performs a coordinated collection of information from the battery pack for display. For that matter, laptop computer devices, are almost always dual powered, and, typically, do not display battery state information while powered by an AC adapter.

The Ishida teaching does not show or even suggest a signal controlled switch for shifting back to battery power when an AC adapter power is available. Indeed the teaching appears to relate solely to battery power from battery pack 31 (see Ishida Fig. 1). What teaching triggers the artisan toward the addition of a special switch and a controller that intermittently triggers the switch temporarily in coordination with data collection? Hulls teaching relates to reporting battery parameters; but, switching, if any appears to be related to emergencies, such as high temperature, to terminate charge (Hull at col. 16, para. 1) and not in temporary support of data collection.

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US Pat No. 6,078,871 to Anderson, which relates to charging smart batteries, shows only a data connection (element 121 of Fig. 1) between the battery 101 and the device (computer 113) and, hence, would not supply a teaching of temporary power source switching.

Applicants teach and claim a temporary switching of the power source from AC adapter to the battery pack, which switching is specially-coordinated with information gathering from the battery pack. This switching is emphasized in Applicants' "Summary of the Invention" (lines 9-23 of page 6 of Applicants' specification).

The claims have been amended to more strongly emphasize the switch, and the controller's temporary activation thereof in coordination with a collection of information from the battery pack - while it takes over power supply to the device during the temporary activation.

Claim 11 now further emphasizes the aspect of the invention relating to preventing power saving from becoming active during the temporary battery-powered intervals, as is described in Applicants' specification at paragraphs 1 and 2 on page 17. This involves a recognition that power saving's impact on device operation is not warranted for the short interval (two or less seconds) preferably allocated for collecting information according to the invention (see last paragraph of page 17 extending to page 18 and amended claim 3).

In accordance with the foregoing, it is believed the remaining claims now clearly identify inventive subject matter over the prior art. Consequently Applicants earnestly solicit early notice that this case is in condition for allowance.

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Respectfully Submitted,


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